

**Public Notice on a Proposed Environmental Cooperative Agreement
between the Wisconsin Department of Natural Resources and
Packaging Corporation of America, N9090 County Road E., Tomahawk, Wisconsin**

Pursuant to Section 299.80, Wis. Stats., the Wisconsin Department of Natural Resources (DNR) is proposing to issue and enter into an Environmental Cooperative Agreement with Packaging Corporation of America – Tomahawk (PCA) facility under the Environmental Cooperation Pilot Program.

PCA, located at N9090 County Road E in Tomahawk, Lincoln County makes corrugating medium for the containerboard industry and employs 450 people. PCA volunteered to help Wisconsin DNR pilot new approaches to environmental regulation through the Environmental Cooperation Pilot Program. The Agreement contains the language that determines how DNR and PCA will carry out the goals of the Environmental Cooperation Pilot Program. Public comments on the proposed Agreement are welcome.

Summary of the proposed Environmental Cooperative Agreement

Under the Agreement, PCA has committed to building on their already strong history of pollution prevention and waste minimization by pursuing improvements in a number of areas. PCA will make significant gains in the implementation of an alternative to the Environmental Protection Agency's (EPA) maximum achievable control technology (MACT I) rule. The rule requires that semi-chemical pulp mills, such as PCA, follow an EPA technology prescription involving the collection and incineration of exhaust gases from specified process sources to achieve maximum control of hazardous air pollutants, particularly methanol. By complying with the MACT standard, PCA would have controlled about 0.4 lb. of methanol per oven dried ton of pulp produced. PCA identified an alternative control approach involving the collection and treatment of select pulp mill condensates that doubles methanol control. A full-scale treatability field study conducted by PCA in June 2001 provided technical validation to PCA's claim that the alternative technology provides superior environmental performance. Consequently, under this agreement PCA is committing to controlling twice the amount of methanol destruction than would have been otherwise achieved by complying with the MACT I rule, as promulgated.

In addition, PCA has committed to several other objectives, including:

- Implement an Environmental Management System
- Reduce HAP emissions
- Reduce natural resource usage
- Reduce waste generated
- Increase recycling
- Increase employee/community awareness through an interested persons group
- Continue evaluation of phosphorus minimization steps

About the Environmental Cooperation Pilot Program

The Environmental Cooperation Pilot Program (Program) was introduced by Governor Thompson and passed by the State Legislature as part of the 1997 – 1999 Biennial Budget. It is

designed to evaluate innovative environmental regulatory methods including whole-facility regulation. It encourages the use of systematic assessments of environmental impacts from this facility, and is designed to focus on reducing pollution in an efficient and cost effective manner. The Program provides increased flexibility for pilot facilities that not only maintain existing levels of environmental protection, but also go beyond and provide superior environmental performance. Furthermore, the Program encourages substantial public participation by those affected by the activities at the facility.

Opportunity for public to comment and/or request a public informational meeting

There is a 30-day public comment period associated with the proposed Environmental Cooperative Agreement, which will end 30 days from the date of publication of this notice in the Wisconsin State Journal. During the 30-day public comment period, DNR will accept written comments from the public regarding its proposed Environmental Cooperative Agreement with PCA. These comments will be considered before a final decision is made on the agreement. Submit comments on the proposed action by US Mail, fax or e-mail to, Laurel Sukup the DNR project manager.

Also within the 30-day comment period, individuals may request a public informational meeting by submitting a written request to the DNR contact. If DNR determines there is significant interest, DNR will hold a public informational meeting.

How DNR will make a final decision on the proposed action

In making a final decision on the proposed action, DNR will insure that the applicant has complied with all of the requirements in sec. 299.80(6)(d) Wis. Stats. DNR will also review and consider all public comments received within the 30-day public comment period. In consultation with the project manager and other staff, the DNR Secretary will decide whether or not to sign and implement the Environmental Cooperative Agreement.

The decision by the Department to enter into an agreement is not subject to review under ch. 227, Stats. The agreement itself, once issued, is subject to review under ch. 227, Stats. To request a contested case hearing pursuant to sec. 227.42, Wis. Stats., a person has 30 days after the agreement is issued to serve a petition for hearing upon the Secretary of the DNR. A request for contested case hearing should be made in accordance with NR 2.05(5) Wis. Adm. Code. The filing of a request for contested case hearing is not a prerequisite for judicial review under ch. 227, Stats., and does not extend the time limits for filing a petition for judicial review.

For additional information about the proposed agreement, please contact:

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Additional information available

Copies of this Cooperative Agreement and a fact sheet describing the Agreement can be accessed via the Internet at: <http://www.dnr.state.wi.us/org/caer/cea/ecpp/> or by contacting the DNR project manager, Laurel Sukup.

Reasonable requests for the information in an alternate format will be provided to qualified individuals with disabilities.

For the Secretary:

/s/Mark McDermid
Mark McDermid, Director
Bureau of Cooperative Environmental Assistance

7/25/02
Date